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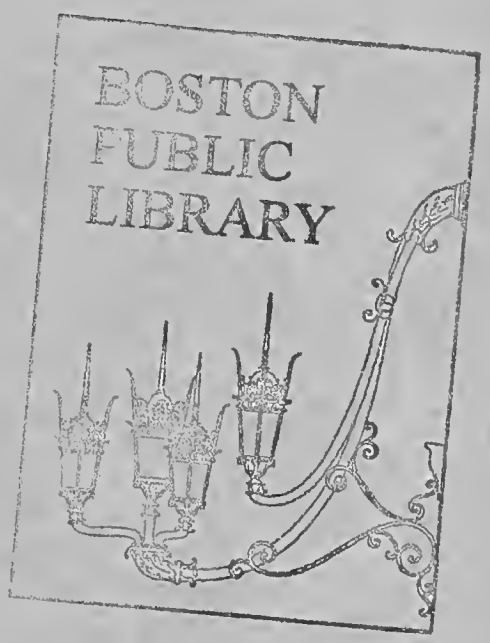
LIBERTY TREE BUILDING



Boston Landmarks Commission

Report of the Boston Landmarks Commission

on the Potential Designation of

The Liberty Tree Building

as a Landmark under Chapter 772 of the Acts of 1975, as amended.

Approved by _____ 2-5-85
Executive Director

Accepted by _____
Chairman

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file: Document 0002B, disk 0003A

1.0 LOCATION OF THE PROPERTY

1.1 Address: 628-636 Washington Street and 1-9 Essex Street, Boston (Formerly 376 Washington Street according to the City Records of 1851)

Assessor's Parcel Number: 4966

Ward: 3; Precinct 8

1.2 Area in Which the Property is Located:

The Liberty Tree Building is the terminus for Boylston Street in the theatre district. Bounded by Washington and Essex Streets, the building faces the theatre district's "hinge block" (the block bordered by Boylston, Washington, Stuart and Tremont Streets) and has as its neighbors Chinatown to the east, the Downtown Crossing and LaFayette Place to the north, and Park Plaza to the west.

The building is included as part of the Liberty Tree District in the National Register of Historic Places, and is also within the National Register's theatre area multiple reference. The area is rich in Bostonian architectural history and here the development of the theatre district, as well as the development of commercial buildings during the 1850's, can be traced.

As the terminal point for Boylston Street, the Liberty Tree Building most dramatically operates as a reference to a time when Boylston Street ended the line of commercial buildings, which included shops, taverns, halls and museums, along the thoroughfare now known as Washington Street. In 1824, former colonial names were dropped and the thoroughfare which, by that time had become almost exclusively commercial, was called Washington Street. The initial commercial identity of Washington Street has never changed.

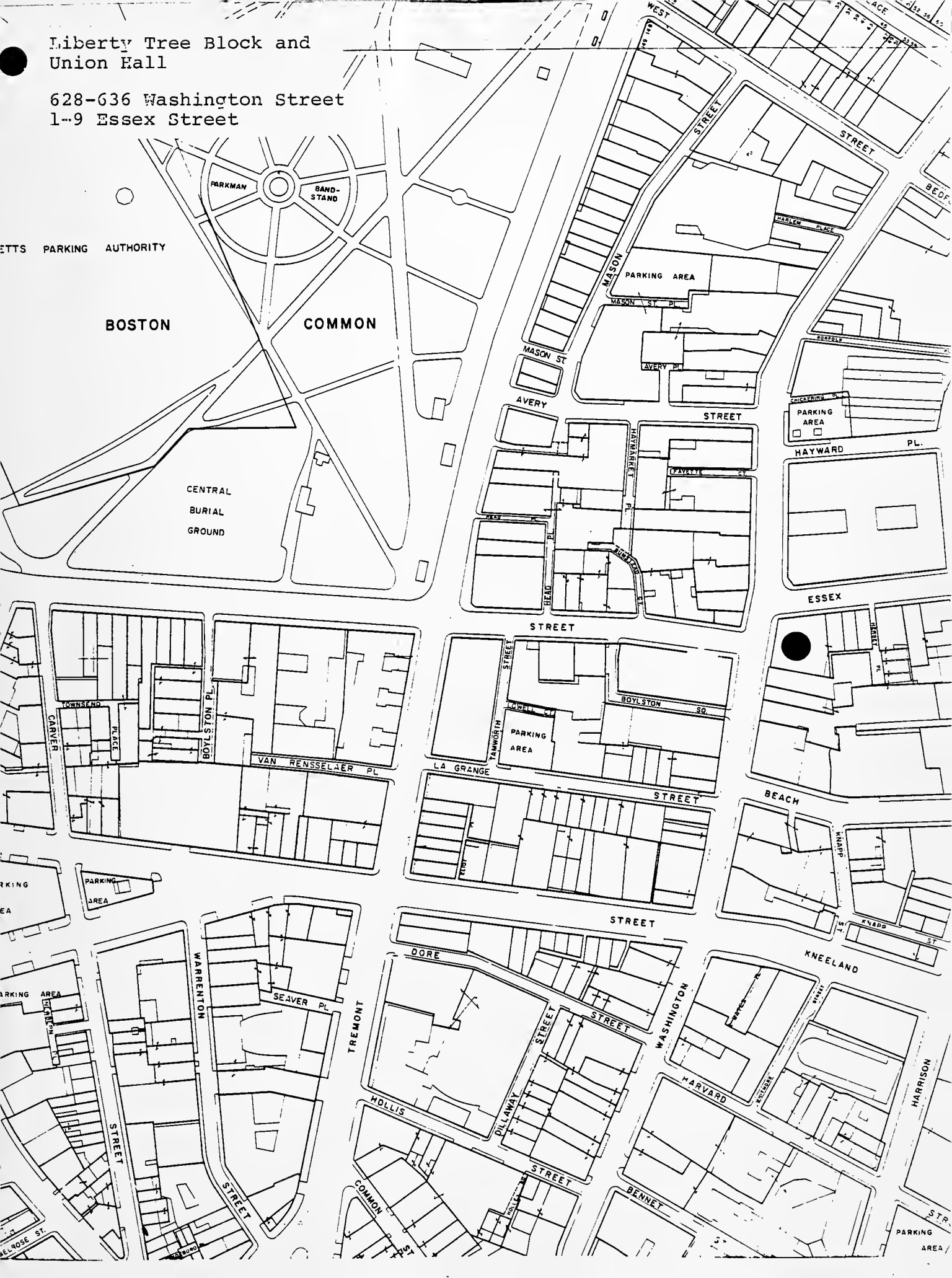
The theatre district surrounding the Liberty Tree Building is characterized by many four to six-story late 19th century and early 20th century theatres and commercial buildings which display a consistency in scale and building fabric. The area, though still contending with the blighting effects of adult entertainment uses, is improving due to the revitalization effors of the Theatre area, as well as the enormous impact of the nearly completed Transportation Building and Layfayette Place.

1.3 Map Showing Location:

Attached.

Liberty Tree Block and
Union Hall

628-636 Washington Street
1-9 Essex Street



2.0 DESCRIPTION

211 Type and Use:

The Liberty Tree Building is a four and one-half story transitional Greek Revival/Italianate commercial building built in 1850. Originally, the ground floor housed four stores on Washington Street and one on Essex. The second, third and fourth floors were devoted to large halls. Today, first floor use is almost completely adult entertainment uses with the exception of the MBTA entrance on Washington Street. Present-day use of the remaining floors is unknown.

2.2 Physical Description

The Liberty Tree Building is a masonry block with two dressed elevations laid up in red brick, but painted grey. Eight bays face Washington Street and seven face Essex with an additional bay formed by the curving of the facade around the corner of Washington and Essex. This corner bay is distinguished by alternating brownstone quoins, as are the ends of the building on both Washington Street and Essex Street. The alternating rounded and pedimented lintels with shoulders on the second and third floors, which are but ghosts on the facade today, illustrate the transition of Greek Revival to Italianate ordering. The quoins and octagonal roof dormers confirm the style to be more Italianate than Greek Revival. The entablature is unadorned and classically handsome. The Liberty Tree Building has a hip copper roof on Washington Street and a hip slate roof on Essex Street. Each side has three octagonal slate roofed dormers fitted with one over one sash.

The first floor is heavily modernized with adult entertainment placards and modern storefront renovations. The MBTA entrance on Washington Street completes the modernization of the ground floor. The second floor features wide triple window units which are not part of the original design -- a number of 19th century advertisements illustrating the Liberty Tree Building show a regular fenestration pattern matching the fourth floor. Window sash varies; six over six wood frame sash in poor condition remain in the curved corner bay, while one over one wood fram sash predominates the remainder of the original openings. A two lite wooden top sash remains in an upper storey opening. Rounded and pedimented lintels once capped second and third floor windows and the fourth floor lintels were flat. All lintels have since been removed. The facade on Washington Street is distinquished by a bas-relief slab of a Liberty Tree positioned on the third floor exterior. The plaque is eight feet by five feet and was executed by Mssrs. Winsor and Brother, ship carvers. Appurtenences on the roof have included penthouses for mechanical equipment and signage.

The second floor hall in the Liberty Building were designed as spacious halls measuring thirty feet by seventy-five feet, and the third floor was seventy-five feet by thirty feet according to contemporary accounts.. Fourth floor halls were seventy-five feet by thirty feet and

sixty feet by forty feet with contiguous drawing rooms. Despite the illustrations of these interior spaces, investigation in the past few years does not reveal any existing rooms of the detail and finishes illustrated.

2.3 Photographs:

Attached.

NO RIGHT TURN
PIZZA

BOSTON

3.0 SIGNIFICANCE

3.1 Historical Associations and Significance

Background--The Liberty Tree Building is situated at one of the oldest and most important intersections in Boston's history, Washington and Essex Streets. Although the actual site of the Liberty Tree is speculative, its history is not - beginning in 1635 when the plot of land between Essex and Beach Streets was appointed to Garrett Bourne for a house and garden. Bourne planted a number of elms on his property and in 1646 transplanted the most stately and handome one to the northwest of his house. By 1746 his home had become a tavern and meeting place for the Sons of Liberty and the tree a rallying spot for the patriots. In 1765 the tree formally became a symbol of British resistance when an effigy of Stamp Officer Andrew Oliver was found hanging from one of its branches. After the Stamp Act was repealed in 1766, a large copper plate, with the gold inscription "This tree was planted in the year 1646 and pruned by the order of the Sons of Liberty", was fastened to the tree. The ground around the tree also became sacred and both tree and ground were named Liberty Tree and Liberty Hall respectively. In August of 1775 the Tories, led by Job Williams, cut down the Liberty Tree.

In 1823, Ralph Haskins built a four-story brick hotel, which he named the LaFayette, upon the same ground as the Bourne house of 1636. When LaFayette travelled through Boston, a twenty-five foot civic arch was erected in front of the hotel designating the location of the old Liberty Tree. A scroll, with the message "Washington and LaFayette" was suspended from the center of the arch. F. Hassam, in Liberty Tree, Liberty Hall, writes that "LaFayette was much affected by this display well knowing that he was upon the 'stamping' ground of the Revolution and in front of the old Liberty Tree."

In 1861, Robert Brigham became the proprietor of the LaFayette hotel. In 1889 he built an addition to the establishment which extended to an entrance on Hersey Place. It is said that during the building of the new hotel, roots of the old Liberty Tree were laid bare.

Bacon's Dictionary of Boston claims that the Liberty Tree Tavern stood on the spot of the Liberty Tree, on the southeast corner of Washington and Essex Streets, until 1833. Either the LaFayette Hotel and Liberty Tree Tavern were the same establishment or the latter was contiguous to the LaFayette Hotel and occupied the corner site of Washington and Essex Streets before it was replaced by the Liberty Tree Building in 1850.

The former Marlborough Street thoroughfare, renamed Washington in 1824, probably in honor of the simultaneous visit of Washington and LaFayette, was Boston's first main street. As the "first highwaye towards Roxburie" it was also once the only avenue to the mainland.

Building Construction--The atmosphere of Washington Street during the mid 19th century, that of a totally commercial quarter, was a perfect setting for David Sears' new commercial building, the Liberty Tree Building, with elegant stores on the ground level and magnificent ballrooms on the second and third floors. Sears had the building

erected in 1850 on property he had purchased in 1832. Newspapers during the 1850's were filled with notices for balls -- many of which were held at the Union Hall in the Liberty Tree Building. Sears commemorated the historical significance of the site by installing the present wooden relief plaque, that was executed by Mssrs. Winsor and Brother, ship carvers.

Contemporary Newspaper accounts credit Amos Cotting, relative of one of Boston's most prolific developers, Uriah Cotting, as supervisor of the construction, but are silent as to an architect. Greenleaf, Cushing and Adams were with masons, and Daniel Davies was its carpenter.

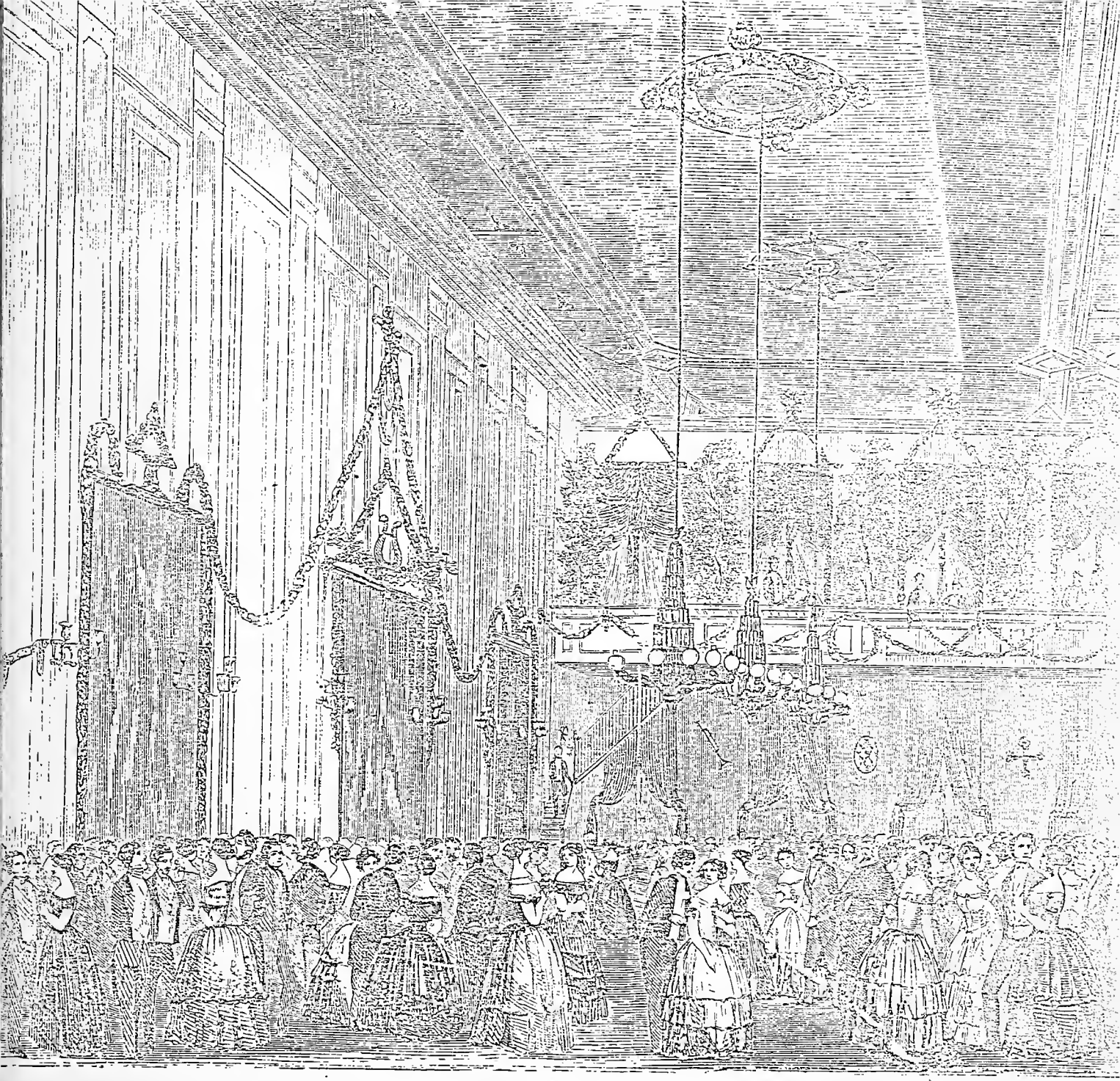
The Liberty Tree Building had four stores on Washington Street and one on Essex; early tenants included Anson Peck, manufacturer of combs and fancy goods, a kitchen supply store, and after 1876, the city's lieading sellers of trunks and luggage.

Promenent Developer--David Sears was an entrepreneur and philanthropist who was responsible for many developments in both Boston and Brookline. In 1820-21 his pecuniary interest in the Back Bay flats induced his purchase of a large tract of land on the adjacent confines of Brookline. A principal portion of this land was developed at Sears' expense and became the Longwood section of Brookline. The Cottage Farms area was another significant Sears development.

According to members of his family, David Sears had acquired great areas of undeveloped tidal flats, on the southern shores of the Back Bay, from families of Revolutionary War Veterans whose services had been recompensed by the Commonewealth with grants of land. Since some of the land was subject to tidal flow, and worthless for agricultural purposes, Sears bought it for very little.

In 1850, anxious to have Back Bay filling operations speeded, Sears prepared and printed a plan for partially filling in that area and connecting it with Longwood and Brookline by avenues which bordered upon Silver Lake, an ornamental sheet of water. Sears offered to deed the Commonwealth thirty seven and one-half acres of his land in the Back Bay, provided that the legislature set aside an equal area for Silver Lake. The axis that projected through the lake is the first hint of what would be Commonwealth Avenue. Other than the lake, the plan had little merit. Sears had failed to address the problem of the two railroad tracks which cut through the Back Bay in a great X.

Sears' granite mansion at 42 Beacon Street in Boston was designed by Alexander Parris and is now the Somerset Club. A carved stone plaque, commissioned by Sears and inscribed with the words "Mansion House, erected by David Sears in the year one thousand eight hundred and nineteen - A. Parris, architect", was placed in the house. The plaque identified the principals and documented the date when construction began, but also accurately recorded that the house was designed to be a mansion inside and out.



VIEW OF THE INTERIOR OF UNION HALL, LIBERTY TREE BLOCK, CORNER OF WASHINGTON AND ESSEX STREETS, BOSTON.

UNION HALL.

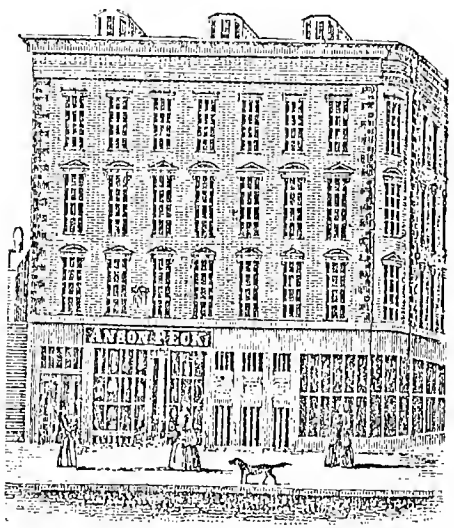
rtist has sketched for us here Union
t appeared on the occasion of the late
' Assembly, and also the "Tigers"
he lessees of this splendid ball-room,
at the corner of Washington and Essex
Boston, are Messrs. A. J. and R. S. Bai-
these gentlemen are entitled to great
r the splendid manner in which they
nged the hall for public entertainments.
on Hall is beyond doubt the most ele-
ir of the kind in the country, and the
ing gentlemen who have charge of it
' the required taste and experience to
a to do the fullest justice to all mat-
vers entrusted to their care and judgment.—
The hall is very large and commodious, being
capable of accommodating two hundred couples
with ease. A large and spacious gallery crosses
the hall at each end, easy of access, both by
stairs from the hall and from the drawing-rooms.
Magnificent chandeliers are so disposed as to
throw a flood of light into every part, while
ease-inviting sofas and lounges, and large palace-
like mirrors challenge the admiration of all.
The hall is beautifully painted, and frescoed
in the latest style of art. Large and convenient
dressing and drawing-rooms, as well as a sup-
per-room, are fitted up with every luxury that
could be desired. We are confident that no hall
can be found in this country, that is so admira-
bly fitted and furnished for the accommodation
of parties, as UNION HALL. Certain it is, that
the large and fashionable assemblies which dur-
ing the present season have graced it with their
presence, conclusively show that its merits are
fully appreciated.

Though the hall has been open but a compa-
ratively short time, yet it has already become
well known to the elite of the city, and many
happy associations already cluster about its
brilliant recollections. In short it is just what
was wanted in Boston for the fall and winter
seasons, and has been abundantly patronized
by the best class of our citizens.

628-636 Washington

ANSON PECK,

MANUFACTURER OF COMBS,

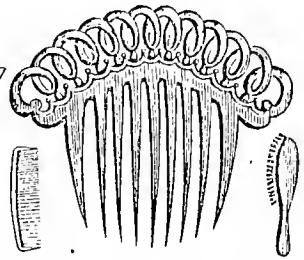


Dealer in

JEWELRY

AND

Fancy Goods,



Hair Brushes and Perfumery,

LIBERTY TREE BLOCK,

NO. 2 ESSEX STREET,

Near the Boylston Market, **BOSTON.**

From: Am. Portrait Gallery, vol III (N.Y. 1855) p 174
(SPNEA)

3.2 Architectural Significance

The Liberty Tree Block is a rare surviving example of mid-19th century commercial architecture that displays the transition from the long popular Greek Revival style to the Italianate style. Using a traditional masonry material with gracious proportions and embellishments of the up-to-date Italianate mode, the designer created a sturdy, urbane place of business for the block's prominent owner, David Sears. Despite later disfiguring alterations, the Liberty Tree Block also represents a once prolific building form in downtown Boston. The 1872 Great Fire and 20th c. office buildings and towers have eliminated most of these.

The Block in its transitional role characterizes the tradition of the first half of the 19th c. in the ubiquitous commercial buildings, that of a simple rectangular plan, a storefront of largely of glass display windows flanking centered entries. Also typical is the planar facades set with regularly spaced windows of tall proportions, a simple but broad cornice that sets off a hipped roof fitted with dormers to light its interior. The curved bay corner devise also was popular during this period. Difference proportions and fenestration patterns as well as types of masonry materials differentiate buildings in the the Federal from the Greek Revival periods, but they tend to share the common characteristics mentioned above. A few retail structures of this period, once in abundence, are now preserved in the Blackstone Block.

In its size and location at a visually prominent, off-set intersection, and in the use of elaborate and architectonic ornament, nonetheless distinguishes the Liberty Tree Block from the few remaining others of its period. Quite soon after its erection in 1850, the more lavish Italianate modes and later French influenced Second Empire and Neo Grec styles with their lively surface treatments, extensive window and door surrounds, and picturesque rooflines were to dominate the commercial streetscapes of downtown Boston. The Walter Pratt Building, 31-35 Union Street, of the 1850s illustrates this complete transition to Italinate, The Richards Building, 114 State Street, depicts the complete Italinate style executed in cast iron. Curiously, the Sears Crescent, also owned by David Sears, was remodeled in the late 1840s (from what is a precedent setting early Federal commercial model) using the design characteristics of the Liberty Tree Block. It cannot be conjectured at this point what design influence David Sears had over these two of his buildings, nor is the a known reference for either of them.

The 2nd, 3rd and 4th floors of the Liberty Tree Block, referred to as Union Hall, were designed as ballrooms with lavish interiors. These apparently have not survived.

Although the plaque on the Liberty Tree Building commemorates revolutionary events, it also has artistic merit and indiciates the overall sense of grand, though unpompous, design and scale that David Sears and his designers established for the Liberty Tree Block. The Block remains as an increasingly rare example of commercial architecture in Boston.

3.3 Relationship to Criteria:

The Liberty Tree Building is eligible for Landmark designation under the criteria established in Section 4, Chapter 772 of the Acts of 1975, as amended, in that:

(a) it is included, as part of the Liberty Tree District, in the National Register of Historic Places and contributes to the general character of the Theatre area which became a National Register listing in December, 1980;

(b) events occurred at its site that contributed to, and are identified prominently with, the social and political history of the city, the commonwealth and the nation;

(c) its structure and site are associated with the life of an prominant Boston historic personage, David Sears, whose endeavours influenced the character and development of Boston;

(d) its structure is representative of architectural design which embodies distinctive characteristics of a type inherently valuable for a study of a period, as a rare survival of a transitional Greek Revival/Italianate commercial block, in Boston and the region.

4.0 Economic Status

4.1 Current Assessed Value and Property Tax:

Total: $528,600, FY 1985 Assessors Records

4.2 Current Ownership and Status: ....

The Liberty Tree Building is identified in the assessor's records of the city as being owned by William J. Fitzgerald et al, 216 Tremont St., Boston.

With the Federal Tax incentives for historic preservation and nascent economic revitalization of the Theatre District, the rehabilitation and restoration of the Liberty Tree Block would appear to be an economically desireable option.

Meanwhile, the historic integrity of this structure is threatened by the proposed expansion of the MBTA subway station and by the neglect of roof and structural repairs.

5.2 Current Planning Issues.

Much of the area surrounding the Liberty Tree Building has been declining economically since the late 1960's, due largely to the blighting influence of nearby adult entertainment uses. Therefore, current planning efforts in the area involve the coordination of a number of planned and proposed development projects and the encouraging of additional new investment, in order to reverse the area's recent decline. Major planning issues in the the area therefore relate to the desired location, scale, and uses of new development,and the manner in which this development is integrated with the area's existing uses and structures.

Two developments most certain to have an impact on the area's traffic volume and land values are the State Transportation Building, an element in the Park Plaza Urban Renewal Plan, and the privately sponsored renovation of the Tufts-owned Music Hall. The State Transportation Building, an L-shaped, mid-rise office building with a walk-through street level shopping arcade and enclosed parking for 400 cars, occupies a site fronting along the new line of Charles Street, and along Stuart Street to the corner of Tremont Street. In conjunction with this, a number of public and pedestrian improvements are planned including the straightening of Charles Street, sidewalk repaving and tree planting along new Charles and Stuart Streets, and a walk-through pedestrian artery running from Boylston Street down Boylston Place into Warrenton Street,connecting to Eliot Norton Park.

The Wang Center, built in 1925 as a lavish "movie palace" and currently the host of events ranging from rock concerts to Tchaikovsky's "Nutcracker Suite",has undergone a $7.5 million renovation of its interior,including the stage and dressing rooms. Located on Tremont Street just below Stuart, the Wang Center's regeneration is seen as an important catalyst for the renewed vitality of the Theatre District as a whole.

Two other nearby development projects have been completed by Tufts-New England Medical Center. Section 8 housing on the site between the Bradford Hotel and Eliot Norton Park has been constructed. The project has produced some 97 units of housing for the elderly Chinese community. Also, a 96-bed replacement for the Boston Floating Hospital for Infants and Children of the Tufts-New England Medical Center has been built over Washington Street.

Two major development projects, both still in the construction stage, are the remainder of the Park Plaza Project and Lafayette Place. The revised version of the Park Plaza Project calls for a 400 room Four Seasons Hotel on Boylston Street and a soon to be commenced $78M condominiums retail and residential complex from Hadassah Way to Arlington Street. When completed, Park Plaza will upgrade and stabilize a long declining area.

Lafayette Place, a Mondev development to include a hotel, 200,000 square feet of retail space, and an underground city-owned parking garage, is almost complete. It will serve as a major element in the BRA's Downtown Crossing Economic Strategy Plan, which has sought to upgrade retail space and improve pedestrian and vehicular circulation as steps toward reinforcing the area as the region's retail center.

5.0 PLANNING CONTEXT

5.1 Background:

Originally comprising the narrowing edge of the Shawmut Peninsula leading out towards the neck, the somewhat marshy land between the bottom edge of the Common and the Back Bay (the area which surrounds the Liberty Tree Building) was sparsely settled and somewhat rural throughout most of the 18th century. Frog Lane (now Boylston Street) was the only public way in the area, and the only nearby sites of any importance in the 18th century town were the Common Burying Ground, set up in 1754 and first called the South Burying Ground, and the Hollis Street Meeting House, built in 1732.

The first indication of the area's increasing commercial importance due to its location along the neck was the location of the Bulfinch-designed Boylston Market, a public market and meeting hall, on the corner of Boylston and Washington Streets in 1810. The construction of a series of Boston & Providence Railroad terminals in Park Square between 1835 and 1900 further increased traffic in the area, which by mid-century had begun to become built up with large residential, commercial, and institutional structures such as the first Boston Public Library (1855), the Hotel Pelham (Boston's first 'French Flat') in 1857, and the Masonic Temple in 1864.

While the edges of the Common became lined with such architectural showpieces as these, the streets immediately in back and to the east of it took on a different character. The expansion and displacement of the commercial district following the Fire of 1872 forced a southward shift in the more marginal wholesale and light industrial uses such as sweatshops, shoe stitcheries, and wholesale clothing stores. Many of these moved to the upper floors of buildings along and near lower Washington Street -- forming the present-day Garment District.

Concurrent with the removal of the Boston & Providence Railroad terminal to South Station in 1900, the area south of the Common began to develop as a theatre district. The third building of the Hollis Street Meeting House had been converted to a theatre in 1885; this was followed by the construction of the Tremont Theatre in 1889, the Colonial in 1900, the Majestic in 1903, the Shubert in 1910, and the Wilbur in 1914. The area has continued throughout the century to be characterized by a mix of small-scale retail and entertainment uses on the street level, with office, residential, wholesale, and light manufacturing uses above -- a diversity of uses which has its origins in the somewhat haphazard growth of the 19th century commercial metropolis.

To this mix has recently been added an influx of adult entertainment establishments since the razing of Scollay Square in the early 1960's. In an attempt to restrict the spread and upgrade the quality of these uses, the City of Boston enacted a special Zoning Code amendment which allowed X-rated adult entertainment uses only within the special zone located along the two blocks of Washington Street between Boylston/Essex and Stuart. The Liberty Tree Building falls within the northern boundary of this district.

Across from Lafayette Place, on Washington Street, stands one of the most interesting streetfronts in the Downtown. This facade extends from West Street to Avery Street, and forms the eastern side of the Keith Block. Included in this block are the Paramount Theatre, which is commonly held to be the City's most elaborate Art Deco building, and the Opera House (formerly the B.F. Keith Memorial Theatre), which is an unusually ornate structure built as one of the last and grandest vaudeville houses in the country. Most of the buildings on this block facing Washington Street are listed in the National Register of Historic Places, and as such are eligible for National Register tax benefits.

With Lafayette Place near, the rehabilitation potential of the Keith Block is considerable. Exciting and innovative ideas have been suggested for this block, including a mixed use combination of theatres, restaurants, supper clubs, housing, retail and office.

All of these planned, proposed and possible development projects are expected to create a climate favorable for additional new investment, and particularly for the rehabilitation and re-use of existing structures.

As a result of anticipated development activity, the Boston Redevelopment Authority is currently preparing comprehensive land use and design guidelines for the adult entertainment area which will identify potential development parcels and buildings targeted for rehabilitation, and seek to create pedestrian linkages between the area and downtown.

Taken together, these anticipated new developments are certain to spell major long range changes in the area, both in the character, volume, and peak hours of traffic, and in real estate values, rent levels, vacancy rates, and intensity of speculation on undeveloped parcels. It is hoped that these changes will counteract the substandard conditions and underutilization of space in and around the Adult Entertainment District, (of which the Liberty Tree Building itself is an example).

The major issue with respect to the building will be the ability of its owner to take advantage of this anticipated development pressure and increased traffic in order to redevelop the property for an economically viable use. To date, the MBTA is expanding its Orange Line Essex Street Station in order to accomodate 6 car trains by December of 1986 (currently only 4 car trains can be used). The T has developed plans for expanding the station in the LTB. This could be viewed by the Secretary of Interior adversely impacting NR property, thereby jeopordizing federal funding, unless the station's expansion was mitigated by an overall preservation plan for the building.

The ideal solution for expansion and improvement of the station in conjunction with the building will probably be dropped by the T due to the lack of owner cooperation. The MBTA is having trouble gaining access to the building and therefore will probably drop its plans to install an elevator for the handicapped.

6.0 Alternative Approached

6.1 Alternatives:

Both the significance of the structure and the language of the Commission's enabling statute, which precludes all but Landmark designation in the central city, limit the designation category of that of Landmark.

Inclusion of the building in the National Register of Historic Places, as part of the Liberty Tree District within the Theatre Area multiple reference nomination, affords it a limited degree of protection.

In spite of clear eligibility for designation, the Commission may choose not to designate the building as a Landmark.

6.2 Impact of Alternatives:

Landmark designation under Chapter 772, as amended, would require the review of physical changes to the building exterior in accordance with standards and criteria adopted as part of the designation. It would not, however, affect the use or treatment of the building interior.

The building is within the Liberty Tree District listed within the Theatre Area multiple resource nomination of the National Register of Historic Places. Protection from federal, federally-licensed or federally-assisted actions is provided by the inclusion of the building in this National Register District and is undertaken by the Section 106 Review process. National Register listing also provides various federal income tax incentives for rehabilitation under the provisions of the Economic Recovery Tax Act of 1981. Properties within a National Register Historic District are eligible to take advantage of these provisions once it is determined that a) the rehabilitation can be certified according to the Tax Act and b) that the building contributes to the historic character of the district; this building clearly meets that criteria.

Similar protection from state-sponsored activities is achieved by the concurrent listings of all National Register properties in the recently created State Register of Historic Places under Chapter 152, General Laws.

Failure to designate the building as a landmark would mean the City could offer no protection or guideance to present or future owners.

7.0 RECOMMENDATIONS

7.1 The staff of the Boston Landmarks Commission recommends that the Liberty Tree Building be designated as a landmark under Chapter 772 of the Acts of 1975, as amended.

The standards and criteria recommended for administering the regulatory functions provided for in Chapter 772, as amended, are attached as sections 8.0 and 9.0

3.0 BOSTON LANDMARKS COMMISSION - STANDARDS AND CRITERIA

3.1 Introductory Statement on Standards and Criteria to be Used in Evaluating Applications for Certificates

Per Sections 4, 5, 6, 7 and 8 of the enabling statute (Chapter 772 of the Acts of 1975 of the Commonwealth of Massachusetts) Standards and Criteria must be adopted for each Landmark Designation which shall be applied by the Commission in evaluating proposed changes to the property. Before a Certificate of Design Approval or Certificate of the Exemption can be issued for such changes, the changes must be reviewed by the Commission with regard to their conformance to the purposes of the statute.

The Standards and Criteria established thus note those features which must be conserved and/or enhanced to maintain the viability of the Landmark Designation. The intent of these guidelines is to help local officials, designers, and individual property owners to identify the characteristics that have led to designation, and thus to identify the limitation to the changes that can be made to them. It should be emphasized that conformance to the Standards and Criteria alone does not necessarily insure approval, nor are they absolute, but any request for variance from them must demonstrate the reasons for, and advantages gained by, such variance. The Commission's Certificate of Design Approval is only granted after careful review of each application and public hearing, in accordance with the statute.

As intended by the statute a wide variety of buildings and features are included within the area open to Landmark Designation, and an equally wide range exists in the latitude allowed for change. Some properties of truly exceptional architectural and/or historical value will permit only the most minor modifications, while for some others the Commission encourages changes and additions with a contemporary approach, consistent with the properties' existing features and changed uses.

In general, the intent of the Standards and Criteria is to preserve existing qualities that cause designation of a property; however, in some cases they have been so structured as to encourage the removal of additions that have lessened the integrity of the property.

It is recognized that changes will be required in designated properties for a wide variety of reasons, not all of which are under the complete control of the Commission or the owners. Primary examples are:

a) Building code conformance and safety requirements.

b) Changes necessitated by the introduction of modern mechanical and electrical systems.

c) Changes due to proposed new uses of a property.

The response to these requirements may, in some cases, present conflicts with the Standards and Criteria for a particular property. The Commission's evaluation of an application will be based upon the degree to which such changes are in harmony with the character of the property.

In some cases, priorities have been assigned within the Standards and Criteria as an aid to property owners in identifying the most critical design features.

The Standards and Criteria have been divided into two levels: (1) those general ones that are common to almost all landmark designations (with three different categories for buildings, building interiors and landscape features); and (2) those specific ones that apply to each particular property that is designated. In every case the Specific Standard and Criteria for a particular property shall take precedence over the General ones if there is a conflict.

BOSTON LANDMARKS COMMISSION

8.2 General Standards and Criteria

A. APPROACH

1. The design approach to the property should begin with the premise that the features of historical and architectural significance described within the Study Report must be preserved. In general this will minimize the exterior alterations that will be allowed.

2. Changes and additions to the property and its environment which have taken place in the course of time are evidence of the history of the property and the neighborhood. These changes to the property may have developed significance in their own right, and this significance should be recognized and respected. ("Later integral features" shall be the term used to convey this concept.)

3. Deteriorated material or architectural features, whenever possible, should be repaired rather than replaced or removed.

4. When replacement of architectural features is necessary it should be based on physical or documentary evidence of original or later integral features.

5. New materials should, whenever possible, match the material being replaced in physical properties, design, color, texture and other visual qualities. The use of imitation replacement materials is generally discouraged.

6. New additions or alterations should not disrupt the essential form and integrity of the property and should be compatible with the size, scale, color, material and character of the property and its environment.

7. Contemporary design is encouraged for new additions; thus, they must not necessarily be imitative of an earlier style or period.

8. New additions or alterations should be done in such a way that if they were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.

9. Priority shall be given to those portions of the property which are visible from public ways or which it can be reasonably inferred may be in the future.

10. Color will be considered as part of specific standards and criteria that apply to a particular property.

B. EXTERIOR WALLS

1. MASONRY

1. Retain whenever possible, original masonry and mortar.

2. Duplicate original mortar in composition, color, texture, joint size, joint profile and method of application.

3. Repair and replace deteriorated masonry with material which matches as closely as possible.

4. When necessary to clean masonry, use gentlest method possible. Do not sandblast. Doing so changes the visual quality of the material and accelerates deterioration. Test patches should always be carried out well in advance of cleaning (including exposure to all seasons if possible).

5. Avoid applying waterproofing or water repellent coating to masonry, unless required to solve a specific problem. Such coatings can accelerate deterioration.

6. In general, do not paint masonry surfaces. Painting masonry surfaces will be considered only when there is documentary evidence that this treatment was used at some point in the history of the property.

II NON-MASONRY

1. Retain and repair original or later integral material whenever possible.

2. Retain and repair, when necessary, deteriorated material with material that matches.

C. ROOFS

1. Preserve the integrity of the original or later integral roof shape.

2. Retain original roof covering whenever possible.

3. Whenever possible, replace deteriorated roof covering with material which matches the old in composition, size shape, color, texture, and installation detail.

4. Preserve architectural features which give the roof its character, such as cornices, gutters, iron filigree, cupolas, dormers, brackets.

D. WINDOWS AND DOORS

1. Retain original and later integral door and window openings where they exist. Do not enlarge or reduce door and window openings for the purpose of fitting stock window sash or doors, or air conditioners.

2. Whenever possible, repair and retain original or later integral window elements such as sash, lintels, sills, architraves, glass, shutters and other decorations and hardware. When replacement of materials or elements is necessary, it should be based on physical or documentary evidence.

3. On some properties consideration will be given to changing from the original window details to other expressions such as to a minimal anonymous treatment by the use of a single light, when consideration of cost, energy conservation or appropriateness override the desire for historical accuracy. In such cases, consideration must be given to the resulting effect on the interior as well as the exterior of the building.

E. PORCHES, STEPS AND EXTERIOR ARCHITECTURAL ELEMENTS

1. Retain and repair porches and steps that are original or later integral features including such items as railings, balusters, columns, posts, brackets, roofs, ironwork, benches, fountains, statues and decorative items.

F. SIGNS, MARQUEES AND AWNINGS

1. Signs, marquees and awnings integral to the building ornamentation or architectural detailing shall be retained and repaired where necessary.

2. New signs, marquees and awnings shall not detract from the essential form of the building nor obscure its architectural features.

3. New signs, marquees and awnings shall be of a size and material compatible with the building and its current use.

4. Signs, marquees and awnings applied to the building shall be applied in such a way that they could be removed without damaging the building.

5. All signs added to the building shall be part of one system of design, or reflect a design concept appropriate to the communication intent.

6. Lettering forms or typeface will be evaluated for the specific use intended, but generally shall either be contemporary or relate to the period of the building or its later integral features.

7. Lighting of signs will be evaluated for the specific use intended, but generally illumination of a sign shall not dominate illumination of the building.

8. The foregoing not withstanding, signs are viewed as the most appropriate vehicle for imaginative and creative expression, especially in structures being reused for purposes different from the original, and it is not the Commission's intent to stifle a creative approach to signage.

G PENTHOUSES

1. The objective of preserving the integrity of the original or later integral roof shape shall provide the basic criteria in judging whether a penthouse can be added to a roof. Height of a building, prominence of roof form, and visibility shall govern whether a penthouse will be approved.

2. Minimizing or eliminating the visual impact of the penthouse is the general objective and the following guidelines shall be followed:

   a) Location shall be selected where the penthouse is not visible from the street or adjacent buildings; setbacks shall be utilized.

   b) Overall height or other dimensions shall be kept to a point where the penthouse is not seen from the street or adjacent buildings.

   c) Exterior treatment shall relate to the materials, color and texture of the building or to other materials integral to the period and character of the building, typically used for appendages.

   d) Openings in a penthouse shall relate to the building in proportion, type and size of opening, wherever visually apparent.

H LANDSCAPE FEATURES

1. The general intent is to preserve the existing or later integral landscape features that enhance the landmark property.

2. It is recognized that often the environment surrounding the property has a character, scale and street pattern quite different from that existing when the building was constructed. Thus, changes must frequently be made to accommodate the new condition, and the landscape treatment can be seen as a transition feature between the landmark and its newer surroundings.

3. The existing landforms of the site shall not be altered unless shown to be necessary for maintenance of the landmark or site. Additional lnadforms will only be considered if they will not obscure the exterior of the landmark.

4. Original layout and materials of the walks, steps, and paved areas should be maintained. Consideration will be given to alterations if it can be shown that better site circulation is necessary and that the alterations will improve this without altering the integrity of the landmark.

5. Existing healthy plant materials should be maintained as long as possible. New plant materials should be added on a schedule that will assure a continuity in the original landscape design and its later adaptations.

6. Maintenance of, removal of, and additions to plant materials should consider maintaining existing vistas of the landmark.

I EXTERIOR LIGHTING

1. There are three aspects of lighting related to the exterior of the building:

   a) Lighting fixtures as appurtenances to the building or elements of architectural ornamentation.

   b) Quality of illumination on building exterior.

   c) Interior lighting as seen from the exterior.

2. Wherever integral to the building, original lighting fixtures shall be retained. Supplementary illumination may be added where appropriate to the current use of the building.

3. New lighting shall conform to any of the following approaches as appropriate to the building and to the current or projected use:

   a) Accurate representation of the original period, based on physical or documentary evidence.

   b) Retention or restoration of fixtures which date from an interim installation and which are considered to be appropriate to the building and use.

c) New lighting fixtures which are contemporary in design and which illuminate the exterior of the building in a way which renders it visible at night and compatible with its environment.

4. If a fixture is to be replaced, the new exterior lighting shall be located where intended in the original design. If supplementary lighting is added, the new location shall fulfill the functional intent of the current use without obscuring the building form or architectural detailing.

5. Interior lighting shall only be reviewed when its character has a significant effect on the exterior of the building; that is, when the view of the illuminated fixtures themselves, or the quality and color of the light they produce, is clearly visible through the exterior fenestration.

J. REMOVAL OF LATER ADDITIONS AND ALTERATIONS

1. Each property will be separately studied to determine if later additions and alterations can, or should, be removed. It is not possible to provide one general guideline.

2. Factors that will be considered include:

a) Compatibility with the original property's integrity in scale, materials and character.

b) Historic association with the property.

c) Quality in the design and execution of the addition.

d) Functional usefulness.

9.0 Specific Standards and Criteria

9.1 General

1. The intent is to recapture the original appearance of the building insofar as that is possible, which requires retention of all original and/or significant material and careful control of alterations.

2. The Washington and Essex Street facades and the form and appearance of the roof are subject to the terms of the exterior guidelines herein stated.

3. All rehabilitation and restoration work should be done in conformance with the Rehabilitation Standards promulgated by the Secretary of the Interior, especially masonry cleaning and restoration.

9.2 Exterior Walls

1. No new opening will be allowed in the brick facades for any reason.

2. The concrete block infills on the second and third floors (Washington Street) should be removed and appropriate windows installed.

3. The enlarged window opening on the third floor, immediately adjacent to the Liberty Tree plaque, may be altered to match the original dimensions and an appropriate window installed. Careful attention to the color, size and textrue of the new brick infill is necessary.

4. Existing window openings, which do not match the original design will not be altered except to restore the original design.

5. Materials and details must exactly match original when masonry openings are altered to restore original proportions.

6. The original alternating segmental triangular window headers shall be restored if possible,in relief and not flush. If replaced the design will exactly match the original although a suitable material other than brownstone may be used.

7. The wooden Liberty Tree Plaque shall be retained in place and preserved as needed. The method of protection will be subject to review and approval.

8. The duct on the Essex Street facade shall be removed and the scars repaired. Every effort shall be made to ensure that all mechanical equipment on the roof is designed and located so as to be minimally visible from Washington, Essex or Boylston Streets.

9. The fire escape on the Essex facade will be removed if possible and the scars repaired. The fire balconies may be retained and repaired.

10. The paint should be removed from all masonry surfaces, including brownstone and granite. The method of cleaning shall be subject to review and approval. Sandblasting is not allowed.

9.3 Windows

1. The existing six-over-six double- hung sash in the corner bay will be retained and restored.

2. The replacement of double-hung, six-over-six, wood-constructed sash is encouraged in all original window openings. The detail of such replacements must exactly match the original: the corner bay sash should be used as a model.

3. Fixed glass or single paned windows on the second floor shall not be allowed in any locations other than those existing at the time of designation. The existing fixed glass windows may be repaired or replaced to match.

4. Interior storm windows are encouraged.

5. Color scheme should be appropriate to the architectural style and is subject to Commission staff review and approval.

9.4 Roof

1. The existing slate and copper will be retained in place and repaired as needed. Replacement roof shall be of copper or of slate tiles. Use of an appropriate slate substitute is allowed.

2. The asphalt shingles will be removed and the slate roof restored, including the wide copper flashing detail.

3. The framing for the billboard structure shall be removed and the roof surface restored.

4. The snow guard will be retained in place. The continuation of the snow guard is encouraged.

5. All existing details and materials (e.g. coper gutter) will be retained and repaired.

6. Any new additions to or alterations of the original slope of the roof, including mechanical equipment, will not be allowed.

7. Flashing, gutters and downspouts should be of copper or of metal treated with a dark, non-reflective surface.

9.5 Dormers

1. The existing dormers will be retained and restored as required, including replacement of original slate siding. The existing copper sheathing may be retained: if it is removed, slate will be installed.

2. No additional dormers will be allowed.

3. Skylights of a minimal section may be allowed on a limited basis, subject to review and approval.

9.6 Ground floor (that portion of the facade below and including the granite course at the second floor level).

1. The granite piers and lintels (cornice and flat-faced beam) will be retained and repaired as needed. The replacement of the curved section at the corner is strongly encouraged.

2. The existing streetfront elements on the last two bays on Essex Street will be retained or replaced to match. These elements may be integrated into a new facade provided their appearance remains unchanged. These elements should be used as models for designing other infills at the ground level.

3. The overlapping sign ("Palomens") and new material shall be removed to reestablish the original appearance of the building.

4. All original materials, such as the existing granite post with downspout reveal (to the right of the plaque), will be retained in situ. Any such material should be carefully integrated into proposed alterations to the ground-floor facades.

5. The existing transit ("T") entrances on Washington and Essex should be retained, including the cast-iron gates and transoms. These elements should be carefully integrated into proposed alterations to these bays. If these elements are removeds the granite will be restored to match original.

6. The existing canopies and projecting signs (excepting the "T") will be removed and may be replaced with signs that respect and reinforce the appearance of the building. All signs are subject to review and approval by the Commission staff.

7. New infill designs to replace existing shopfronts are encouraged. The proposals should be based on historic precedent. Masonry other than granite will not be allowed and all alterations are subject to review and approval. Brick, concrete or glass block and Dryvit are not acceptable as infill materials for the storefront openings. The rhythm of the original trabeated storefront design is encouraged.

8. The design of any sidewalk paving and planting shall be subject to staff review.

10.0 Footnotes and Bibliography

10.1 Footnotes

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10.2 Bibliography

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